

U.S. Patent Application Serial No. **09/712,927**
Amendment dated October 24, 2003
Reply to OA of **June 25, 2003**

REMARKS

Claims 1-6, 8-14 and 16 are pending in this application. Amendments are proposed herein amending claims 1-4, 6, 9-12 and 14 and adding new claims 19 and 20. Upon entry of the amendment, claims 1-6, 8-14, 16, 19 and 20 will be pending.

Support for the amendments is as follows:

With regard to the amendments to claim 1 and 9, the use of inorganic fine particles in the external additive is supported by the recitation in claims 3 to 5 and 11 to 13, and the diameter of 30 to 100 nm is supported by claims 2 to 10, respectively.

Further, the combined use of (1) inorganic fine particles and (2) fine particles having an opposite charge polarity is supported by the specification on page 7, lines 14 to 33, and appended examples, particularly, toners E, F and H of Examples 1 and 2, on pages 25-26.

In claim 1, the amendment of the lower limit of the change ratio of the aggregation degree from "0.8" to --1.0 -- is supported by the disclosure on page 30, lines 10 to 12, and toners E, F, and H of Table 1 (page 29). The amendment in claim 9 of the upper limit of the change ratio of the electrostatic charge amount from "1.5" to -- 1.2 -- is supported by the disclosure on page 30, lines 31 to 33.

Support for the amendment to claims 2 and 9 regarding the first inorganic particles and second inorganic particles may be found in Exemplary toners D, E and F on pages 25-26.

In addition, in each of claims 3 and 11, the claims are amended to recite that the fine particles having an opposite charge polarity have a particle diameter within the range of 0.3 to 1.5 μm . The amendment is supported by the disclosure on page 30, lines 16 to 24.

The dependencies of claims 4, 6, 12 and 14 are also amended.

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New claims 19 and 20 depend from claim 9 and restrict the inorganic fine particles recited in claims 1 and 9 to hydrophobic silica particles; this is supported by the toners E, F and H of Example 1 on pages 25-26 of the specification.

Claims 1-6, 8-14 and 16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Ugai et al. (U.S. Patent No. 5,698,354).

Reconsideration of the rejection is respectfully requested in view of the proposed amendments to the claims.

In the proposed amendments, Applicants have limited the present invention to use as an external additive a combination of:

- (1) inorganic fine particles having a mean diameter of 30 to 100 nm; and
- (2) fine particles having an opposite charge polarity to that of the first fine particles.

As is disclosed in page 7, lines 14 to 33, and page 30, lines 13 to 33, for example, of the specification, according to the present invention, the change ratio in both of the aggregation degree and electrostatic charge amount of the toner can be significantly lowered, thereby ensuring satisfactory image formation, as a function of the combined use of (1) the inorganic particles and (2) the fine particles having an opposing polarity as an external additive in the toner.

Applicants submit that Ugai et al. '354 does not disclose or suggest the combination of inorganic fine particles and fine particles having an opposite charge polarity to that of said inorganic fine particles. Applicants therefore submit that the claims, as amended, are novel and non-obvious over Ugai et al. '354.

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Regarding proposed new claims 19 and 20

New claims 19 and 20 depend from claims 1 and 9, respectfully. Applicants submit that claims 19 and 20 are non-obvious over Ugai et al. '354, for the reasons presented above for the non-obviousness of claims 1 and 9. Entry and allowance of claims 19 and 20 is respectfully requested.

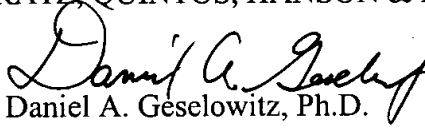
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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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